

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7138

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOHN CLARENCE JOHNSON, JR., a/k/a JJ,

Defendant - Appellant.

No. 01-7339

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOHN CLARENCE JOHNSON, JR., a/k/a JJ,

Defendant - Appellant.

Appeals from the United States District Court for the District of
South Carolina, at Greenville. Henry M. Herlong, Jr., District
Judge. (CR-98-922, CA-01-2114-6-20)

Submitted: December 20, 2001

Decided: December 28, 2001

Before LUTTIG, TRAXLER, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John Clarence Johnson, Jr., Appellant Pro Se. Elizabeth Jean Howard, OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

John Clarence Johnson, Jr., seeks to appeal the district court's orders denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2001), construing his post-judgment motion for relief, and dismissing his motion to reconsider (Appeal No. 01-7138). He also appeals the district court's denial of his motion for a transcript (Appeal No. 01-7339). We have reviewed the record and the district court's opinions and find no reversible error.* Accordingly, we deny Johnson's pending motions for transcript, deny a certificate of appealability, and dismiss the appeals on the reasoning of the district court. See United States v. Johnson, Nos. CR-98-922; CA-01-2114-6-20 (D.S.C. May 10, June 7, June 21, and Aug. 7, 2001). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

* Upon demonstration by Appellant of proof of timely mailing of his motion for reconsideration such that it properly was subject to consideration pursuant to Fed. R. Civ. P. 59(e), the district court reconsidered the motion on the merits under Rule 59(e), thereby rendering harmless its prior construction of the motion pursuant to Rule 60(b).